

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission)	
On Its Own Motion)	
)	
)	Docket No. 01-0662
Investigation Concerning Illinois Bell Telephone)	
Company's Compliance with Section 271 of the)	
Telecommunications Act of 1996.)	

**PHASE II SURREBUTTAL AFFIDAVIT OF MARK J. COTTRELL
ON BEHALF OF SBC ILLINOIS**

SBC ILLINOIS EXHIBIT 1.3

March 17, 2003

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I. INTRODUCTION

I, Mark J. Cottrell, being of lawful age and duly sworn upon my oath, do hereby state as follows:

1. My name is Mark J. Cottrell. My business address is 2000 W. Ameritech Center Drive, Hoffman Estates, Illinois, 60196, Room 4B22. I am Executive Director-Long Distance Compliance-OSS for Illinois Bell Telephone Company (“SBC Illinois”).¹ I am the same Mark J. Cottrell that filed an Affidavit and a Rebuttal Affidavit in this case.

A. Purpose Of Affidavit

2. The purpose of this Surrebuttal Affidavit is to respond to the OSS issues and arguments raised by Staff and CLECs in their March 12, 2003 Rebuttal Affidavits.
3. I respond to Staff Witness Weber’s testimony regarding line loss notifications (“LLNs”) and OSS performance. I also address the CLEC testimony on OSS performance issues from AT&T witness Tim Connolly (¶¶ 92-108); AT&T witnesses Sarah DeYoung/Walter Willard (¶¶ 1-25); CIMCO (pp. 1-5); Forte witness Tom Waterloo (pp. 2-4; 6-8; and 11-13); WorldCom witness Sherry Lichtenberg (¶¶ 19-20) and Z-Tel Rebuttal Comments (p. 7).
4. In general, the positions of SBC Illinois and Staff on OSS and line loss notification issues continue to draw closer together. With respect to line loss notifications, there may no longer be any disagreement at all. SBC Illinois will implement Staff’s recommendation

¹ Illinois Bell Telephone Company, an Illinois corporation, is a wholly owned subsidiary of Ameritech Corporation, which owns the former Bell operating companies in the states of Michigan, Illinois, Wisconsin, Indiana, and Ohio. Ameritech Corporation is a wholly owned subsidiary of SBC Communications Inc. Illinois Bell offers telecommunications services and operates under the name “SBC Illinois”.

that performance measure ("PM") MI 13 be assigned a "medium" remedy level. Ehr Reply Affidavit filed March 3, 2003, ¶ 241. Staff apparently agrees that the SBC Illinois cross-functional team can migrate its responsibilities to other work groups after June 30, 2003, even though the company may elect to continue the cross functional team after June 30, 2003. Staff Ex. 43 (Weber) ¶ 10. The two remaining LLN issues -- implementation of PMs MI 13 and 13.1 and inclusion of winback data in those PMs -- are positively addressed by SBC Illinois witness James Ehr.

5. With respect to Staff's discussion of OSS performance, I continue to characterize the disagreements as relatively minor. Out of about 500 test points just five issues remain open in the BearingPoint Operational Report and SBC Illinois has corrective actions planned or in place to address each of these issues. SBC is willing to engage in continued re-testing by an independent third-party where necessary until the issues are resolved to the Commission's satisfaction. There are two areas of disagreement. First, Staff continues to argue that three of the five open OSS issues should be fixed and successfully re-tested by November 2003. As I discuss below, while it is SBC's expectation that these issues will be successfully retested well before that date, SBC Illinois cannot commit to that date since responsibility lies jointly between the independent third party and SBC Illinois. Second, Ms. Weber points out that re-testing should not necessarily be based on commercial production orders rather than pseudo-CLEC orders. While SBC Illinois believes that re-testing based on commercial production orders is appropriate, I do not believe that this issue needs to be resolved in this docket and Ms. Weber does not ask that it be resolved here either.
6. The CLECs, for their part, continue to draw focus away from the big picture of SBC

Illinois' successful OSS performance by raising miscellaneous operational issues they have encountered. SBC Illinois' OSSs support a vibrant competitive market and handle millions of transactions each month. When a problem does arise, SBC Illinois takes it very seriously and acts promptly to identify and fix it. Such problems do not reflect any serious flaw in SBC Illinois' OSS. Collectively, the CLECs raise only a few new issues that were not raised and addressed in the prior rounds of Affidavits. I address these issues below. I also reconfirm my conclusion that the Company's OSS are sound and that SBC Illinois has processes in place to successfully address the type of miscellaneous issues raised by CLECs.

7. I have attached the following schedules to this affidavit:

Schedule MJC-20 - Customer Service Inquiry Accuracy Plan

Schedule MJC-21 - Directory Listings and Directory Assistance Database Accuracy
Plans

Schedule MJC-22 - Special and UNE Circuit Repair Coding Accuracy Plan

Schedule MJC-23 - Line Loss Notifier Communications Plan

Schedule MJC-24 - Pre-Order Processing Timeliness Plan

Schedule MJC-25 - Change Management Communications Plan

Schedule MJC-26 - Bill Auditability and Dispute Resolution Plan.

Schedule MJC-27 - CLECAMS03-019

Schedule MJC-28 – CLECAMS03-021

Schedule MJC-29 – SBC Michigan Ex Parte filed with the FCC on March 14, 2003

II. OSS TEST RESULTS

A. Staff Reply Comments

8. In my view, the differences between Staff and SBC Illinois on the OSS issues are relatively minor. As Ms. Weber confirms, just five issues remain open in the BearingPoint Operational Report. Staff Ex. 43.0 (Weber Reply) ¶¶ 7-12. SBC Illinois has corrective actions planned or in place to address each of these issues and, where necessary, SBC Illinois is willing to engage in continued re-testing by an independent third-party until the issues are resolved to the Commission's satisfaction.²
9. There are two areas of disagreement. First, Staff continues to argue that three of the five open OSS issues should be fixed and successfully re-tested by November 2003. Staff Ex. 43.0 (Weber Reply) ¶ 18. Ms. Weber acknowledges that SBC Illinois cannot guarantee the completion date for work performed by an independent third party. Specifically, she states that while "it may be the case" that SBC Illinois cannot guarantee that the independent third party will complete its verification work by November 2003, it should nonetheless "face consequences" if that deadline is missed. *Id.* To make matters worse, Mr. Hoagg recommends that SBC Illinois be subject to civil penalties under section 13-305 for failure to meet any commitment in the order, presumably including this one. Staff Ex. 40.0 (Hoagg Reply) ¶ 10. While SBC Illinois certainly is responsible for preparing its systems and processes to be retested, it is the independent third party tester that must establish and perform test scenarios, transaction submission, transaction and result receipt, and test result analysis. SBC Illinois has limited control over these

² I need to make a correction to paragraph 8 of my rebuttal affidavit, where I stated that corrective actions should be completed by May 31, 2003. While that is true for TVV 1-28, the date for TVV 4-27 is July 1, 2003 and for TVV 7-14 it is July 2003. These dates were correctly set forth in Schedule MJC-19 to my rebuttal affidavit.

activities and their completion dates, and therefore cannot guarantee a final completion date of November 2003³. Rather, I propose that SBC Illinois, Staff and the independent third party tester should continue to work cooperatively to complete the re-tests as expeditiously as possible. Even though I have no objection to establishing November 2003 as an objective and reasonably expect that these issues will be resolved by then, given our experience with this process I simply cannot agree to it as a hard deadline⁴.

10. Second, Ms. Weber points out that re-testing should not necessarily be based on commercial production orders – leaving open the possibility that it be based on orders submitted by the test-CLEC. Staff Ex. 43.0 (Weber Reply) ¶ 17. While SBC Illinois believes that re-testing based on commercial production orders is appropriate, I do not believe that this issue needs to be resolved in this docket. As I understand her testimony, Ms. Weber does not ask that it be resolved here either. She simply wants to leave the issue open to be resolved after the independent third party tester has more information, and I can agree to that as long as it is clear that SBC Illinois has a voice in that decision.

B. OSS Plans

11. One other issue should be addressed. In my Rebuttal Affidavit I described seven (7) SBC Midwest OSS plans under development in Michigan that will directly benefit Illinois CLECs. Ms. Weber says that some of these plans cannot be considered in support of the Company's Illinois 271 application, but I disagree. The plans represent concrete actions that the Company is taking to benefit CLECs in Michigan, and since the Company has a

³ For these reasons, the Commission should reject the argument of AT&T witness Connolly that test completion is solely within SBC Illinois' control. AT&T Ex. 1.1 (Connolly Rebuttal) ¶¶ 98-100.

⁴ The same concern applies the August 2003 date for the remaining two "not satisfied" operational criteria, although I am more optimistic about the ability of BearingPoint to successfully re-test their two issues by that date.

single OSS for the SBC Midwest region, these activities will equally benefit Illinois CLECs. CLECs (including those who do business in Illinois) have been actively involved in shaping these plans and SBC Midwest has modified the plans substantially to accommodate their concerns. It makes little difference that “there was no discussion with Illinois parties or Staff”. Staff Ex. 43.0 (Weber Reply) ¶ 19. Illinois CLECs were intimately involved and, in any event, the plans stand on their own merit. As for Ms. Weber’s concern that there are no commitments in Illinois, I describe below that five of the seven plans will apply *in toto* in Illinois and that significant aspects of the other two plans also apply in Illinois.

12. On March 13, 2003, SBC Michigan filed revised OSS plans. There are three “compliance” plans for which SBC Midwest has proposed a third party (i.e., BearingPoint) to review. These compliance plans address the following areas:

- Customer Service Inquiry Accuracy
- Directory Listings and Directory Assistance Database Update Accuracy
- Special and UNE Circuit Repair Coding Accuracy.

In addition, SBC Midwest filed four “improvement” plans which are not subject to third party review, but for which SBC Midwest will provide status or progress updates periodically. These improvement plans address the following areas:

- Line Loss Notifier Communications
- Change Management Communications
- Pre-Order Processing Timeliness
- Billing Auditability and Dispute Resolution.

I have attached the revised versions of these plans as Schedules MJC-20 through MJC-26.

13. SBC Illinois believes that its current performance is satisfactory and 271-checklist compliant for each of the areas covered by the plans. However, SBC Michigan and the MPSC have agreed that further improvement may be possible. The subjects of the three compliance plans (customer service inquiry accuracy, directory listings & directory assistance database update accuracy, and special and UNE circuit repair coding accuracy) were noted as “not satisfied” in the BearingPoint⁵ OSS test evaluation issued on October 30, 2002 in Michigan. Despite this finding, the MPSC acknowledged that SBC Michigan’s current performance was sufficient for checklist compliance.⁶
14. In contrast to Michigan, SBC Illinois successfully “satisfied” half of the issues covered by these compliance plans.⁷ Specifically, it passed all the issues associated with directory listing & directory assistance database accuracy as well as the UNE portion of the circuit repair coding accuracy issue.⁸ Accordingly, SBC Illinois does not believe that Illinois-specific compliance plans on these issues are warranted based on current performance and BearingPoint’s OSS test results. SBC Illinois is willing, however, to provide copies of the regional results associated with these compliance plans to the Illinois Commerce Commission and parties to the Illinois 271 docket. This is consistent with SBC’s intent

⁵ BearingPoint Michigan OSS Test Points: TVV4-27 Customer Service Accuracy; TVV4-1 for Directory Listing Accuracy, and TVV 7-12 and 7-14 for Trouble Ticket Coding Accuracy.

⁶ Report of the Michigan Public Service Commission, January 13, 2003, case No. U-12320.

⁷ BearingPoint Illinois Operational Report, December 20, 2002.

⁸ TVV4-1 for Directory Listing Accuracy and TVV7-12 for Repair Coding Accuracy (UNE) were classified as satisfied by BearingPoint for Illinois. in the Operational Report on page 693 and 761, respectively. The remaining Repair Coding Accuracy test criterion for specials that is currently in retest is noted in the report as TVV7-14, page 763.

to have BearingPoint review the compliance plans using region-wide sampling where possible.

15. For the two issues that are contained in the Michigan compliance plans that were not rated as satisfied by BearingPoint in Illinois, CSI accuracy and Special Circuit Repair Coding, SBC Illinois would be agreeable to a compliance plan for this issue under the same terms and conditions as outlined in Michigan plan filed on March 13, 2003.
16. SBC Midwest is willing to address each of the improvement plans on a regional basis and provide status reports to the Illinois Commerce Commission and parties to the Illinois 271 docket. As a result of the filing of these plans, the Commission and CLECs doing business in Illinois can be assured of receiving the same benefits from these plans as will parties to the Michigan proceeding. Comments on both sets of these proposed plans are due from parties in the Michigan case by March 20, 2003. It is my expectation that the MPSC would issue a final order regarding these plans shortly thereafter. SBC Illinois will apprise all parties in this docket of the MPSC's order.
17. In short, while these OSS plans are not required to establish checklist compliance, they provide an added measure of assurance for this Commission that SBC Illinois will continue to make its OSS available in a non-discriminatory fashion.

III. PRE-ORDERING

A. Integration of Pre-Ordering/Ordering

18. AT&T's latest argument on this issue is that BearingPoint only evaluated a CLEC's ability to integrate pre-ordering and ordering systems on a manual basis – not an electronic basis. AT&T Ex. 1.1 (Connolly Reply) ¶ 102-104. AT&T is wrong.

19. There appears to be no dispute about the FCC 271 standard – both SBC Illinois and AT&T cite to paragraphs 119-120 of the BellSouth Georgia-Louisiana 271 Order⁹ which provide that there is no requirement for a BOC to integrate pre-order and order information. Rather, the BOC must “enable” the CLEC to transfer pre-order information electronically into the CLEC’s ordering interface.
20. There is also no dispute that BearingPoint evaluated the integration issue, but there the agreement ends. AT&T wildly mischaracterizes the BearingPoint test by claiming that BearingPoint merely “validated a manual means” for populating local service orders using pre-order information. *Id.* ¶ 103. In other words, Mr. Connolly asserts that BearingPoint only looked at whether a CLEC can take pre-order information and manually input it into SBC Illinois’ ordering system. In fact, BearingPoint validated a CLEC’s ability to *electronically* integrate, and did so in three ways. First, BearingPoint evaluated whether SBC Midwest separates or “parses” the information properly.¹⁰ Parsing of pre-order information, by itself, is sufficient to meet the FCC’s 271 requirements for integration.¹¹ Second, BearingPoint verified that SBC Midwest “synchronized” data fields between the pre-order and order fields.¹² This assists a CLEC in electronically transferring the information contained on the pre-order response into the order. Third, in its evaluation of the integration process, BearingPoint reviewed SBC Midwest’s pre-order and order documentation and found it clear, accurate and

⁹ In re Joint Application by BellSouth Corp. et al. for Provision of In-Region, InterLATA Services in Georgia and Louisiana, CC Docket No. 02-35, 2002 WL 992213 9 (rel. May 15, 2002) (“BellSouth Georgia Louisiana 271 Order”).

¹⁰ Page 808 of the BearingPoint Report states that “SBC Ameritech will always return Customer Service Record (CSR) information from its various pre-order functions in a fully parsed fielded format”. BearingPoint’s test results indicate that this capability was “Verified”.

¹¹ BellSouth Georgia-Louisiana 271 Order, at ¶120. (“Our prior orders dictate that a BOC can demonstrate the ability of competitive LECs to integrate pre-ordering and ordering functions if the BOC parses the customer record information into identifiable fields for the competing carriers.”)

complete.¹³ These BearingPoint evaluations put an end to any question whether SBC Illinois enables CLECs to electronically integrate pre-order and order information.

IV. ORDERING

A. Line Loss Notifications

1. Staff Comments

21. I see no disagreements between Staff and SBC Illinois on the line loss notification issue:

a) Staff now agrees that the SBC Illinois cross-functional team can migrate its responsibilities to other work groups after June 30, 2003. Staff Ex. 43 (Weber) ¶ 10;

b) SBC Illinois will implement Staff's recommendation that performance measure MI 13 be assigned a "medium" remedy level. Ehr Reply Affidavit, ¶ 241;

c) As for Ms. Weber's request that the Michigan Line Loss Notifier Communications improvement plan be made available in Illinois, (Staff Ex. 43 (Weber) ¶ 11), I can report that the Company agrees to do that. As set forth in the revised Line Loss Notifier Communications attached as Schedule MJC-23, this includes (among other things) the commitment that the Company will provide the Illinois Commission with monthly updates on LLN issues for a period of six (6) months;

Footnote continued from previous page ...

¹² Cottrell Rebuttal Affidavit filed March 3, 2003 at para 26

¹³ Cottrell Rebuttal Affidavit filed March 3, 2003 at para 25

d) The two remaining LLN issues are addressed in the surrebuttal affidavit of SBC Illinois witness James Ehr. In particular, Mr. Ehr responds to Ms. Weber's recommendation that changes to PM MI 13 and implementation of PM MI 13.1 be verified by the Commission before issuing a Phase 2 order (Staff Ex. 43 (Weber) ¶ 8) and to Ms. Weber's request that MI 13 and MI 13.1 include line loss notifications generated due to winback situations. Staff Ex. 43 (Weber) ¶ 12.

2. CLEC Comments

22. Despite this agreement between Staff and SBC Illinois on LLN, CLEC's continue to argue that the LLN system is fatally broken. AT&T Ex. 3.1 (DeYoung/Willard Rebuttal) ¶¶ 8-11; WCOM Ex. 3.4 (Lichtenberg) ¶¶ 18-20; Z-Tel Rebuttal Comments (p. 7). While it is understandable that the CLECs would present their complaints regarding isolated incidents, it is unfortunate that they fail to analyze the issue in light of SBC Illinois' overall performance. As I described in my rebuttal affidavit, SBC Midwest transmitted a huge quantity of LLNs to CLECs between August 2003 and January 2003 – over 759,000– and the complaints raised by the CLECs constitute only a small percentage of those LLNs¹⁴. Cottrell Rebuttal Affidavit filed March 3, 2003, ¶32.
23. To an overwhelming extent, SBC Midwest transmits LLNs in a timely and accurate manner. As set forth in Table 1, between September 2002 and January 2003, SBC Midwest's performance in providing timely and accurate LLNs has improved from

¹⁴

In paragraph 32 of my rebuttal affidavit, I said this number was 719,000. I am now correcting that number to be 759,000. I also need to make three other minor changes to my rebuttal affidavit: 1) in paragraph 40, the number "77,000" should be changed to "117,000" and the figure "1.5 %" should be changed to ".85%"; and 2) in paragraph 49, the figure "0.20%" should be changed to "0.30%". I will make those changes in the rebuttal affidavit that is offered into evidence later in this proceeding.

92.9% to 97.67%. Overall, SBC Midwest has provided CLECs with timely and accurate LLNs over 97 % of the time. These results well exceed the 95% standard established by BearingPoint for the third-party test.

TABLE 1

ALL CLECs	Total CLEC LLNs Provided	Inaccurate or Incomplete¹⁵	% Successful
September 02	109,456	7,775	92.90%
October 02	155,424	403	99.74%
November 02	117,355	4,425	96.23%
December 02	115,937	3,061	97.36%
January 03	140,783	3,277	97.67%
5 Month Total	638,955	18,941	97.04%

24. The CLECs raise two new incidents, neither of which demonstrate any systemic issues with the LLN process. First, AT&T states that SBC Midwest erroneously delivered certain LLNs to one of its operating units (AT&T Business Services) via fax rather than electronically via the WebLEX. AT&T Ex. 3.1 (DeYoung/Willard Rebuttal) ¶ 11. This incident was caused by a complex set of circumstances relating to AT&T's set-up as a

¹⁵ The "inaccurate or incomplete" column above includes misses for all CLECs impacted by the 4 specific LLN-related issues discussed at ¶¶ 36-46 of my rebuttal affidavit. Only two of those instances impacted more than one CLEC; the remaining two instances impacted AT&T (¶¶ 41-43) and WorldCom (¶¶ 44-46) alone. Inaccurate or incomplete LLNs for the months in question attributable to the two incidents I describe below also are included. So far as SBC Midwest is aware, these are the only instances of failure to provide LLNs resulting from specific system or process failures during this time frame. SBC Illinois has not included LLNs that may have been delayed due to service order processing issues that arose in the regular course of business. See, e.g., Accessible Letter CLECAM02-105 (September 20, 2002) and ¶¶ 48-49 of my rebuttal affidavit. Such LLNs either were reported in PM MI 13, or should be reported in the new PM MI 13.

test CLEC in the MOR application.¹⁶ The net result is that this issue impacted a total of 1,819 LLNs over an approximately 4-month period and, as AT&T says, was resolved by February 10, 2003. There is no dispute that AT&T continued to get the LLNs in a timely manner during this period and there is no indication of any customer impact.

25. Second, AT&T and WorldCom describe a situation involving multi-line accounts. AT&T Ex. 3.1 (DeYoung/Willard Rebuttal) ¶ 11; WCOM Ex. 3.4 (Lichtenberg) ¶¶ 18-20. On March 6, 2003, SBC Midwest notified CLECs that on March 5th it had identified a relatively unusual situation where LLNs were sent on lines that the CLEC did not lose.¹⁷ SBC Midwest further advised that it was conducting analysis of the issue and that it would provide more information at the earliest possible date. This LLN interruption letter was provided by SBC Midwest in accordance with its draft LLN improvement plan.
26. Upon investigation, SBC Midwest determined that this LLN error occurred only in the Midwest region, and only in the rare instance where the “winning” CLEC was using LSOG version 5 and was converting only part of a multi-line account that also included the main telephone number (TN) for that account. In these circumstances, a new main TN is created for the lines on the account that remain with the original carrier. SBC

¹⁶ In October 2002, ABS requested that its LLNs be delivered to WebLEX, rather than to its fax number. Although ABS’ production set-up was modified accordingly, due to a very complex set of circumstances related to AT&T’s set-up in the MOR application as a test CLEC, whenever the a “winning” CLEC utilized version 4.02, MOR would read the test set-up rather than the production set-up, and send the LLN to ABS’ fax number. If the “winning” CLEC utilized LEX or version 5 or higher (which utilize LASR rather than MOR), the LLN would be correctly sent to WebLEX. AT&T implies that SBC Midwest’s explanation does not “withstand scrutiny” because it is based on the “erroneous premise” that the faxed LLNs were sent via the “Issue 7 translator,” which was retired one month prior to October 2002. SBC’s explanation is accurate. Although EDI ordering via Issue 7 was retired effective October 12, 2002, the ability to order UNE loops via ASRs sent through EXACT continued through March 9, 2003. See, CLECAM02-076, dated June 19, 2002; CLECALLS 02-022 (February 21, 2002) and CLECAM02-033 (February 27, 2002). So, although Issue 7 was no longer available for EDI ordering after October 2002, the Issue 7 outbound translator used for fax notifications remained operational for ASR orders (including UNE loop) and for FAX LLNs through March 9, 2003. The Issue 7 outbound translator has now been retired for all notifications. SBC believes AT&T is the only CLEC impacted by this issue.

¹⁷ Accessible Letter CLECAM03-019 (March 6, 2003), attached as Schedule MJC-27.

Midwest correctly provided an LLN to the losing carrier for the original main TN.

However, due to a programming error, SBC also created an LLN on the new main TN, which was incorrectly provided to the original carrier.

27. A programming correction for this scenario was implemented on March 7th and has been validated as working correctly. Although the March 6th accessible letter estimated that this issue affected “less than 3000 transactions,” in fact it affected only 908 total LLNs for SBC Midwest which were incorrectly provided to 38 CLECs. The problem apparently dates to an April 2002 release; it was not detected earlier due to the rare ordering scenario and the small number of erroneous LLNs. A follow-up accessible letter was sent to all CLECs on March 14, 2003¹⁸ and all impacted CLECs will be contacted directly by their OSS manager. All LLNs provided in error as a result of this scenario in the September 2002 – January 2003 time frame are included in Table 1 above.
28. These incidents do not reflect a defect on the OSS, but rather resulted from human error (in the case of the continued fax) and a programming error (in the case of the multi-line issue). They do not detract from SBC Midwest’s overall excellent record of providing over 97% of LLNs accurately and on time; they do not detract from the record of continuing process improvement in this area; and they do not detract from the overall conclusion that SBC Illinois provides LLN notices in a non-discriminatory manner.

B. Other Ordering Issues

29. Before addressing the remaining CLEC OSS issues, I want to put their concerns into context. They argue, in effect, that any OSS problem -- no matter how small -- is evidence of an overall failure of SBC Illinois’ OSS. The FCC, on the other hand,

¹⁸ Accessible Letter CLECAM03-021 (March 14, 2003), attached as Schedule MJC-28.

repeatedly has stated that most probative evidence of nondiscriminatory access to OSS is evidence of actual commercial usage. Evidence of commercial usage of SBC Midwest's interfaces is strong. The commercial volumes reported below are designed to include all transactions accepted (pre-order) and all service orders created via the identified interface, because those figures represent the total transaction volumes actually being handled by the interface in question. For the calendar year 2002, SBC Midwest's EDI/CORBA has handled over 17.9 million transactions and Verigate has handled over 5 million transactions¹⁹. From January 2002 to December 2002, more than 5.8 million service orders were created as a result of Local Service Requests (LSRs) submitted via EDI, while over 520,000 service orders were created from LSRs submitted via LEX. Against this backdrop of overwhelming actual commercial usage, the CLEC issues below do not come close to demonstrating an overall failure of SBC Illinois' OSS.

30. To assist the Commission in evaluating CLEC issues, I have also attached as Schedule MJC-29 an ex parte presentation made to the FCC by SBC Michigan on March 14, 2003. This filing also helps to put the CLEC arguments into perspective in relations to SBC Midwest's overall performance.

1. Post To Bill ("PTB") Notifications

31. AT&T re-hashes the PTB issue at length and provides no new information. AT&T Ex. 3.1 (DeYoung/Willard Rebuttal) ¶¶ 12-19. AT&T does not dispute the facts I presented – that the Post to Bill ("PTB") Notification is a new transaction with LSOG 5, that the

¹⁹ All volumes are SBC Midwest regional interface volumes, which include CLEC transactions in Michigan, Illinois, Indiana, Ohio and Wisconsin.

problem to which they refer is a single incident, that the problem was discovered by SBC Midwest, and that SBC Midwest proactively notified CLECs once it was able to determine the cause, scope and correction of the issue. The only new argument is AT&T's objection to using the "CSR query" process I described as a temporary way to determine when SBC Midwest's billing database has been updated to reflect a CLEC's LSR request. AT&T implies that I proposed this as a permanent solution, but I did not. I merely pointed out that AT&T had a convenient, well-established process available to it to mitigate any impact from the temporary lack of PTB notices. Cottrell rebuttal affidavit filed March 3, 2003 ¶¶ 55-57.

2. Order Rejections

a. CIMCO rejects

32. CIMCO again raises its concern with orders it believes were invalidly rejected, only this time it provides data for the orders it is complaining about. CIMCO (pp. 1-3). A preliminary analysis of these orders suggests that a significant portion (12-45%) were not *invalidly rejected* at all. In other words, these orders were either correctly rejected or were not rejected. Of the 91 orders confirmed to be invalid system rejects, 66 were due to system errors that have since been fixed, with a majority (54 or 30% of the entire list) caused by a single SBC Midwest problem that was fixed on January 13, 2003. Errors caused by that problem have not recurred since then, and there are no orders in CIMCO's list after that date rejected with this error. This preliminary analysis has necessarily been limited since we have had only two business days for this exercise.
33. Representatives of SBC Midwest's OSS Support organization were having regular weekly meetings with CIMCO to track and respond to issues raised. Due to the closure

of issues previously identified and the lack of new issues, these meetings have recently been cancelled at the suggestion of CIMCO, seemingly indicating the relative lack of CLEC-affecting issues currently being experienced by CIMCO. However, I have instructed our OSS Support organization to quickly complete an analysis of the 179 orders cited by CIMCO and to work with CIMCO in order to identify any problems and possible solutions.

b. Forte rejects

34. Forte repeats its argument that some of its orders are rejected for the reason “TN invalid or unavailable”. Forte Affidavit (Waterloo) pp. 2-4. In my rebuttal affidavit, I explain that SBC Illinois experienced an intermittent system problem that caused some invalid rejects of this nature and that the problem was fixed in December 2002. Cottrell rebuttal affidavit filed March 3, 2003 ¶ 64. The fact that it was intermittent, i.e., did not happen constantly, contributed to the difficulty in determining the cause. Using network monitoring equipment and software ‘traps’ to identify the root cause of the problem, SBC technicians identified an intermittent communication fault between systems. A protocol parameter controlling system behavior when a communication failure between systems is encountered was modified, and continued monitoring detected no additional faults.
35. This fix corrected most, but not all, of the invalid rejects issued with the error code “TN invalid or unavailable”. Forte’s own data show that just 1% of orders were impacted in December 2002, 0% in January 2003 and 2% in February – a big improvement from the higher number before the fix. Forte Affidavit filed February 21, 2003, p. 2. SBC Illinois is not satisfied with this situation, however, and is investigating what appears to be another problem that is generating this error message.

36. The likelihood of encountering this error is influenced by a CLEC's pre-order and order practices. The technique Forte uses to populate its orders, which includes the use of telephone number "placeholders", is supported only in the LSOG 4 version of SBC Midwest's ordering interface and is not commonly used by CLECs. Consequently, Forte's experience is not typical. During a six-week period from February 1 through March 13, 2003, in the entire SBC Midwest region only eighty-one orders out of the hundreds of thousands received were rejected for this error.
37. Forte is one of only two CLECs in Illinois that experienced this error during this six-week period, and at a rate of approximately two per week. In all cases where a Forte order was rejected erroneously with the "TN is invalid or unavailable" message, the order was subsequently worked by SBC Illinois and successfully completed.

3. Features Superseded Under LSOG 5

38. CIMCO remains displeased with the fact that LSOG 4 is going away in June 2003 and is being superseded by the next collaboratively-determined version of wholesale local service business rules, LSOG 5. CIMCO (pp. 3-5). In particular, CIMCO wants LSOG 5 to be changed to incorporate a feature that was present in LSOG 4 – ordering "placeholders". I explain in my rebuttal affidavit why "placeholders" are not a part of LSOG 5 and I will not repeat that explanation here. Without even getting to the merits of that debate, the Commission should dispose of this issue by noting that specifications for LSOG 5 were developed and finalized almost a year ago through the Change Management Process with full industry participation. CIMCO should have raised these issues in the industry meetings at that time. The industry has long ago resolved the issue

of what features to include in LSOG 5 and CIMCO should not be allowed to use this 271 process as a forum to re-open that settled issue.

4. Order Formatting of Telephone Numbers

39. Forte repeats its complaint that SBC Illinois sends invalidly-formatted telephone numbers on certain records to Forte. Forte Affidavit (Waterloo) pp. 6-8. Mr. Waterloo acknowledges my testimony that this problem was identified by BearingPoint as Observation 700 and was fixed by SBC Midwest on January 30, 2003, but persists in his claim that it was not fixed. To support this claim, he provides examples of individual orders, but all of them are from *before* the fix date of January 30, 2003. Of course, this completely misses the point. Orders from before the fix date would hardly be evidence that the fix was ineffective. Any lingering doubt that this problem is, in fact, fixed was eliminated by BearingPoint, who reported on February 25, 2003 that it had retested Observation 700 successfully. This Observation was closed on March 4, 2003.

V. PROVISIONING

A. Invalid Completion Notices

40. Forte complains that it receives completion notices in situations where the customer does not have dial tone. Forte Affidavit (Waterloo) pp. 11-13. This is not a problem caused by the OSS. Rather, it is a network provisioning issue and it is addressed in the surrebuttal affidavit of John Muhs.

VI. COMPLIANCE WITH CHANGE MANAGEMENT PROCESS

41. AT&T returns to the Change Management Process (“CMP”) issue with renewed charges that SBC Illinois does not “honor” its CMP, that BearingPoint did not adequately review the CMP, and that the past incident involving L100/101 illustrates its complaint. AT&T Ex. 3.1 (DeYoung/Willard Rebuttal) ¶¶ 20-25. I fully addressed the specifics of AT&T’s allegations in my rebuttal affidavit. Rather than repeat those facts here, I instead explain three high-level reasons why the Commission should reject the comments of AT&T (and other CLECs) on Change Management Process issues.
42. First, both the CMP itself (which is the product of years of close collaboration with the CLECs), and SBC Midwest’s compliance with that process, have been found to satisfy the requirements of the Act by the FCC and by the BearingPoint OSS test. Based on BearingPoint’s comprehensive test results, which found that SBC Midwest had satisfied 131 out of 133 (98%) Relationship Management and Infrastructure domain test criteria, including all criteria specifically associated with CMP, the Michigan Public Service Commission concluded that “SBC’s change management process complies with Section 271 requirements and SBC complies with the terms of that process.”²⁰
43. Second, the CLEC comments in this proceeding do not establish any systemic failure on the part of SBC to comply with CMP requirements in its Midwest region. Rather, CLECs have improperly attempted to impose new CMP requirements in the context of a

²⁰ Report of the Michigan Public Service Commission, In the Matter, on the Commission’s Own Motion, to Consider SBC’s, f/k/a Ameritech Michigan, Compliance with the Competitive Checklist in Section 271 of the Federal Telecommunications Act of 1996, Case No. U-12320, at 74 (MPSC Jan. 13, 2003) (“Michigan PSC Consultative Report”).

section 271 proceeding, when in fact, the issues are precisely the type the CMP itself is designed to solve.

44. Third, although not necessary to establish that SBC Midwest's CMP is checklist-compliant, SBC Midwest recently adopted an improvement plan that responds to even these latest CLEC issues. This is yet another example that SBC Midwest's CMP is working effectively in direct response to CLEC concerns, and provides CLECs with a meaningful opportunity to compete.

45. I discuss each of these in more detail below:

SBC Midwest Has Demonstrated a Pattern of Compliance with Its CMP

46. SBC's 13-state CMP was implemented in SBC Midwest in March 2001. The FCC reviewed this CMP -- and found SBC complied with that process -- in connection with its approval of the Arkansas/Missouri and California 271 applications.²¹ The CMP provides CLECs with the documentation and support necessary to provide them nondiscriminatory access to SBC's OSS. First, the CMP is very broad in scope -- covering changes to existing interfaces, introduction of new interfaces and the retirement of existing interfaces. The CMP also addresses application-to-application interfaces, Graphical User Interfaces and Proprietary interfaces. Also addressed by the CMP are release notification requirements, content and timeliness of release requirements, walk-throughs of release

²¹ Arkansas/Missouri 271 Order, ¶15; California 271 Order, ¶ 96. In addition, much of the 13-state CMP was taken directly from its predecessor, SBC's 8-state CMP, which was reviewed and approved by the FCC in the Texas and Kansas/Oklahoma 271 Applications -- where the FCC specifically found that SBC's eight-state change management process provides an efficient competitor a meaningful opportunity to compete. Texas Order, ¶ 110; Kansas/Oklahoma Order, ¶ 166. The current process is commonly managed for all regions. Thus, the CMP is the same CMP that was found to be compliant in TX, OK, KS, AR, MO and CA.

requirements, versioning requirements, release planning, an exception process, CLEC testing, dispute resolution, submission and prioritization of change requests, legacy systems, meetings and points of contact. SBC uses its Change Management web site to provide documents related to CMP.

47. The CMP also provides SBC and CLECs with numerous opportunities to collaborate and improve SBC Midwest's OSS. For example, since January 2000, SBC has hosted more than 100 CMP meetings. SBC continues to host monthly CMP meetings. SBC has also held numerous "side-bar" meetings where specific subjects (such as interface retirements, Plan of Record implementation, CLEC testing, and versioning) were discussed with SBC Subject Matter Experts.
48. BearingPoint performed a comprehensive review of SBC's CMP functions. Specifically, BearingPoint reviewed the systems, processes, personnel and technical support that SBC Midwest offers to assist CLECs in understanding and implementing the OSS functions SBC Midwest makes available, and in establishing and maintaining a business relationship with SBC Midwest. BearingPoint found that SBC Midwest satisfied 98% (131 out of 133) of the applicable test criteria in the entire Relationship Management and Infrastructure domain with no "not satisfied" criteria, and satisfied all seven criteria specifically related to CMP. See BearingPoint Final Report at pages 12, 434-447.
49. Overall, BearingPoint's test results demonstrate: (a) that SBC Midwest has implemented and adhered to a change management process that affords an efficient competitor a meaningful opportunity to compete by providing sufficient access to SBC Midwest's OSS; (b) that SBC Midwest has implemented clear documentation, methods and

procedures to develop, provide, and maintain OSS interfaces; and, (c) that SBC Midwest also provides responsive technical assistance, help desk support, account management and training so that CLECs can use SBC Midwest's OSS interfaces effectively.

CLEC Comments In This Proceeding Do Not Establish Any Systemic Issues With SBC Midwest's CMP

50. At the outset, it is important to recognize that SBC Midwest's change management plan meets all of the requirements set forth by the FCC in determining whether a BOC provides CLECs with a meaningful opportunity to compete.²² Indeed, while CLECs raise several purported CMP issues in their comments, almost all of their comments are focused on one discrete aspect of SBC's CMP performance – SBC Midwest's change management of programming changes on its side of the interface.
51. As I explained in my rebuttal affidavit however, with the exception of a single instance, the examples cited by CLECs do not reflect any failures on the part of SBC Illinois to comply with its CMP obligations.²³

²² “In evaluating whether a BOC's change management plan affords an efficient competitor a meaningful opportunity to compete, we first assess whether the plan is adequate by determining whether the evidence demonstrates: (1) that information relating to the change management process is clearly organized and readily accessible to competing carriers; (2) that competing carriers had substantial input in the design and continued operation of the change management process; (3) that the change management plan defines a procedure for the timely resolution of change management disputes; (4) the availability of a stable testing environment that mirrors production; and (5) the efficacy of the documentation the BOC makes available for the purpose of building an electronic gateway.” BellSouth Five-State Order ¶ 42 (footnotes omitted).

²³ The FCC has found that the existence of a single, isolated instance of noncompliance with CMP is not sufficient to undercut SBC Midwest's strong overall pattern of compliance with the CMP. Qwest Nine-State Order ¶ 148 (“We reject claims that Qwest's actions over the course of the past few months demonstrate that Qwest does not adhere to its CMP. Qwest, in fact, agrees that one of the instances cited . . . was a violation of its CMP, but persuasively argues that isolated instances of noncompliance with CMP are not sufficient to undercut the overall strong performance Qwest has demonstrated.”) (footnotes omitted).

52. The complaints made in this proceeding that SBC has made “CLEC-impacting” changes to its side of the interface without providing proper notification to the CLECs are relatively new and have not been handled by the CLECs in accordance with the CMP provisions. Although “CMP Effectiveness” has been a standing agenda item at every CMP meeting for several years, no CLEC raised a complaint that the CMP was not effective until the February 2003 meeting.
53. Rather than raising this issue in a section 271 context, CLECs should have properly raised this issue in the CMP where process gaps are routinely and appropriately addressed. When areas for CMP process improvement have been identified, SBC has demonstrated its willingness to improve and enhance the process to cover these situations. SBC frequently engages in discussions with CLECs on suggested improvements during the CMP meetings. As a result of these discussions, SBC has modified and enhanced its Release Requirements documentation and its CLEC testing process. Other areas of improvement include improvements to the Jeopardy/Reject Process (incorporated in the LSOR 5.0 release), a re-design of the Broadcast Notification Process for OSS outages, Improvements to the Flow-Through and Exceptions Matrix, a checklist to be used when moving from test to production, a checklist to be used by both SBC and CLECs when moving from one version to another, adding a Defect Report to the web site, and e-mail submission of trouble tickets to the Mechanized Customer Production Service Center. All of these enhancements underscore SBC’s commitment to improving its OSS in direct response to CLEC needs and concerns.

Improvement Plans

54. Finally, SBC Midwest has worked collaboratively with the CLECs under the auspices of the Michigan PSC to reach agreement on how, when and under what conditions SBC should provide notice of CLEC-impacting programming changes made outside of normal quarterly release schedules. The results of that collaboration are contained in the revised Change Management Communications Plan attached as Schedule MJC-25.
55. To address CLEC concerns, this plan includes the following processes and safeguards:
- a. For purposes of correcting defects, the definition of a “CLEC-impacting” defect has been expanded to include anything on the SBC side of the interface that would cause a CLEC’s previously accepted LSR to be rejected or a previously accepted pre-order transaction to fail;
 - b. Effective April 21, 2003, SBC Midwest will use the Exception process from the 13-State CMP when adding a new edit (whether for the purpose of correcting an open defect or in support of an existing business rule). The Exception Process requires that the agreement to implement the change be unanimous, and thus provides a single CLEC the ability to veto the proposed change or the date the change will be implemented;
 - c. Effective April 18, 2003, SBC will use the Defect Report posted on CLEC Online to provide CLECs with notification of any activity in support of correcting open defects that will involve the modification of an existing edit and/or table update. SBC Midwest also will issue weekly accessible letters beginning on April 18 through the end of May, 2003, reminding CLECs to refer to the Defect Report for possible maintenance defects;

- d. Beginning in April 2003, at each CMP meeting, SBC Midwest will update the CLECs on any recent activity and the progress of any defect requests impacting pre-order and ordering interfaces;
- e. Effective immediately, SBC Midwest will send an Exception Request Accessible Letter for any EDI mapping or CORBA IDL structure changes that are identified as part of a defect;
- f. SBC Midwest will continue to work with CLECs in the CLEC User Forum on additional improvements to the CLEC Profile process;
- g. Accountability will be mandated for all SBC Midwest staff and management that participate in the testing of maintenance releases. Audit mechanisms will be implemented no later than April 18, 2003;
- h. Effective April 21, 2003, the following additional rigors will be implemented in SBC's Midwest internal testing process:
 - i. Test plans, scenarios, and expected outcomes will be reviewed and approved by IT management;
 - ii. Testing results (including re-testing) as documented by the IT testing team will be reviewed by Industry Markets prior to implementation to production;

- iii. SBC Midwest will reinforce the criticality of rigorous testing and also educate the OSS Application Support teams and Industry Markets on these accountability/audit requirements.

- 56. All of these safeguards were developed to respond directly to CLEC complaints concerning unannounced programming changes to SBC Midwest's side of the interface, while at the same time enabling SBC Midwest to reasonably and efficiently manage that interface. SBC Midwest will file quarterly reports regarding its progress on this improvement plan to the Commission for its review starting on April 30, 2003 for one year, and copies will be served on the parties of record for this docket. The specific information SBC Midwest must provide in those reports also is detailed in the plan.
- 57. SBC Midwest's CMP is working effectively and provides CLECs a meaningful opportunity to compete. None of the CMP issues raised by CLECs succeeds in rebutting SBC Midwest's showing of checklist compliance. Moreover, although not necessary to establish checklist compliance, the improvement plan incorporates numerous changes that respond directly to CLEC concerns and should provide this Commission with added comfort that the issues raised by CLECs have been resolved.

VII. CONCLUSION

- 58. My overall conclusion bears repeating. SBC Illinois provides competing carriers in Illinois with nondiscriminatory access to robust and reliable systems that are operationally ready to handle, and are in fact handling, commercial volumes of pre-

ordering, ordering, provisioning, maintenance and repair, and billing transactions. I have shown this by proving that:

- The OSS of SBC Midwest process millions of CLEC transactions each month and are used by Illinois CLECs to support a vibrant competitive local market;
- BearingPoint has independently verified the operational readiness of these OSS;
- When isolated problems do arise, they are almost exclusively problems that are quickly corrected and resolved on a business-to-business basis between SBC Illinois and the CLECs. SBC Illinois has demonstrated its commitment to maintaining and improving the OSS and has established a strong record of responsiveness to these issues;
- Although not required for 271 Checklist compliance, any remaining questions created by CLEC complaints are resolved by the seven plans developed by SBC Midwest in the Michigan 271 process. The improvements reflected in those plans will be implemented throughout the SBC Midwest region and will directly benefit CLECs in Illinois.

For all of these reasons, the Commission should support a favorable recommendation to the FCC on all OSS-related issues.

59. This concludes my surrebuttal affidavit.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on March 17, 2003

Mark Cottrell

Executive Director-Long Distance Compliance-
OSS for Illinois Bell Telephone Company

STATE OF ILLINOIS
COUNTY OF COOK

Subscribed and sworn to before me
this ____ day of _____, 2003.

Notary Public

My commission expires: